

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR ADJOURNED SPECIAL COUNCIL MEETING  
OF

MONDAY, JULY 25, 1988  
ADJOURNED TO TUESDAY, JULY 26, 1988  
AT 2:00 P.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 4:44 p.m.

Mayor O'Connor adjourned the meeting at 8:47 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
  - (1) Council Member Wolfsheimer-present
  - (2) Council Member Roberts-present
  - (3) Council Member McColl-present
  - (4) Council Member Pratt-present
  - (5) Council Member Struiksma-present
  - (6) Council Member Henderson-present
  - (7) Council Member McCarty-present
  - (8) Council Member Filner-present
- Clerk-Fishkin (eb)

FILE LOCATION: MINUTES

Jul-26-1988

ITEM-1: ROLL CALL

Clerk Fishkin called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member McColl-present
- (4) Council Member Pratt-present
- (5) Council Member Struiksma-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present

Jul-26-1988

ITEM-601: DISCUSSION HELD AND TRAILED TO SPECIAL MEETING  
ON JULY 27, 1988

A proposal to amend the Progress Guide and General Plan  
by selecting a Growth Management Element to replace the

Guidelines for Future Development. This element addresses the rate, timing and phasing of growth; and the location, quality and quantity of new development; and the protection and preservation of Environmentally Sensitive Lands including wetlands, steep slopes, floodplains, biologically sensitive lands and prehistoric and historic sites and resources. It is the intent that the element be placed on the November, 1988 ballot for ratification by the voters of the City of San Diego.

It is the intent of the City Council that this item will be heard throughout the month of July. Future hearing dates and times will be announced at the conclusion of each hearing.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: F200-L270.)

Motion by Filner to delete Item 2D on Page 8 of the Sensitive Lands Growth Element. Second by Wolfsheimer. Failed by the following vote: Wolfsheimer-yea, Roberts-nay, McColl-nay, Pratt-nay, Struiksma-nay, Henderson-nay, McCarty-nay, Filner-yea, Mayor O'Connor-nay.

MOTION BY ROBERTS TO APPROVE SECTION 2, A THROUGH D, BIOLOGICALLY SENSITIVE LANDS, SCIENTIFIC HISTORIC AND PREHISTORIC SITES, AND E AND F. Second by McCarty with amendment to add sand, gravel, and rocks. No vote at this time.

MOTION BY WOLFSHEIMER TO AMEND THE MOTION BY COUNCIL MEMBER ROBERTS\_TO\_INSERT THE WORD "STRICTLY" BEFORE THE WORD "NECESSARY" ON PAGE 8, 2B, LINE 2. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-nay, McColl-yea, Pratt-nay, Struiksma-nay, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

MOTION BY HENDERSON TO CHANGE LANGUAGE IN BIOLOGICALLY SENSITIVE ELEMENT TO USE THE WORD "MITIGATION" INSTEAD OF "MEASURE" AND CHANGE "SIGNIFICANT HISTORIC" TO "SITES LISTED ON OR DETERMINED ELIGIBLE FOR THE NATIONAL REGISTER OF HISTORIC PLACES BY FEDERAL AGENCIES." Second by Filner. The question was divided.

The vote on the use of the word "mitigation" passed by the following vote: Wolfsheimer-nay, Roberts-nay, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-nay, Mayor O'Connor-nay.

Council Member Henderson withdrew the part of the motion regarding historic sites in order for it to be considered with definitions.

MOTION BY McCARTY TO APPROVE ITEM 5A 1,2, AND 3. Second by Roberts. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

Motion by Wolfsheimer to amend 5B to state the "clustering may be permitted only upon reduction of the underlying density so that the sensitive lands are not surrounded by heavily densified buffer areas." No second.

Motion by Struiksma to amend to state "consistent with goals and objectives of adopted community plan" as it relates to clustering. No second.

MOTION BY ROBERTS TO APPROVE ITEM B WITH THE WORDING "ADOPTED COMMUNITY PLAN." Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiskma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

MOTION BY ROBERTS TO APPROVE ITEM 6A 1 AND 2. Second by McColl. No vote at this time.

Motion by Struiksma to amend Item 2 to read "A Sensitive Lands Permit must be obtained prior to the development of the portion of the parcel containing environmentally sensitive lands. A requirement of this section shall be applied to the parcel to the extent necessary to protect the environmentally sensitive lands. Second by McColl. Failed by the following vote: Wolfsheimer-nay, Roberts-nay, McColl-yea, Pratt-nay, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-nay, Mayor O'Connor-nay.

The vote on the motion by Roberts passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

Motion by Struiksma to amend 6B to read as follows: Development projects with vested rights on the effective date of this section under applicable State and Federal law including, but not limited to projects with approved development agreements, or vesting tentative maps. Second by McCarty. No vote.

MOTION BY FILNER TO SUBSTITUTE THE MOTION BY COUNCIL MEMBER STRUIKSMA THAT WORDING AS RECOMMENDED BY STAFF FOR ITEM 1 READS AS FOLLOWS: "THOSE PHASES OR ELEMENTS OF DEVELOPMENT WHICH HAVE OBTAINED A VESTED RIGHT PRIOR TO THE EFFECTIVE DATE OF THIS SECTION." Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-nay, Henderson-nay, McCarty-nay, Filner-yea, Mayor O'Connor-yea.

MOTION BY McCARTY TO APPROVE ITEM-2 AS AMENDED ON PAGE 11 OF THE ELEMENT AS FOLLOWS: THE MODIFICATION OF A SINGLE FAMILY HOUSE ON ONE LOT OR A REPLACEMENT OF A SINGLE FAMILY HOUSE WITH ANOTHER SINGLE FAMILY HOUSE ON ONE LOT, BRUSH MANAGEMENT, AND ANY OTHER IMPROVEMENTS, ALTERATIONS, AND LANDSCAPING. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

MOTION BY FILNER TO DELETE ITEM 1 ON PAGE 12 AND ADD NEW SECTION 3 FOR THE CONSTRUCTION OF A SINGLE FAMILY HOUSE ON AN INDIVIDUALLY-OWNED SINGLE FAMILY LOT IN EXISTENCE ON THE EFFECTIVE DATE OF THIS SECTION, BRUSH MANAGEMENT FOR FIRE PROTECTION, AND ANY OTHER IMPROVEMENTS, ALTERATIONS, OR LANDSCAPING ON SUCH LOT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

MOTION BY McCARTY TO APPROVE THE ORIGINAL ITEM-3 - BUILDING IMPROVEMENT - WITH THE RECOMMENDED CHANGE TO STATE "OTHER THAN SINGLE FAMILY LOT" WITH DIRECTION TO ATTORNEY TO RECOMMEND OTHER LANGUAGE AT THE TIME OF ADOPTION OF THE ORDINANCE IF APPROPRIATE. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, Filner-yea, Mayor O'Connor-yea.

MOTION BY STRUIKSMA TO APPROVE SECTION 4 - RECONSTRUCTION OF A STRUCTURE. Second by McCarty. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

MOTION BY STRUIKSMA TO APPROVE AND AMEND THE SECTION FOR SAND, GRAVEL, ROCK, TO ADD "AND RELATED ASPHALT OPERATIONS AND SALT MANUFACTURING OPERATIONS." Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, and Mayor O'Connor-yea.

MOTION BY FILNER TO AMEND AN ACTION FROM A PREVIOUS DATE TO DELETE "EXISTING SALT MANUFACTURING OPERATIONS" UNDER WETLANDS ON PAGE 5. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

MOTION BY STRUIKSMA TO ADD AN ITEM-7 TO STATE: "NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, DEVELOPMENT FOLLOWING TERMINATION OF THE SAND, GRAVEL, ROCK

AND ASPHALT OPERATIONS FOR WHICH CITY COUNCIL HAS, PRIOR TO THE EFFECTIVE DATE OF THIS SECTION, AMENDED AN ADOPTED COMMUNITY PLAN REQUIRING PREPARATION OF SPECIFIC PLANS FOR THE AFFECTED PROPERTIES UPON WHICH THE SAND, GRAVEL, ROCK AND ASPHALT OPERATIONS ARE CURRENTLY OCCURRING." Second by

Henderson. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, McColl-yea, Pratt-nay, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-nay, Mayor O'Connor-nay.

MOTION BY McCARTY TO APPROVE SECTION REGARDING ORDNANCE REMOVAL ACTIVITIES TO DETECT AND REMOVE ORDNANCE FROM AREAS WHERE SUCH EXPLOSIVE DEVICES MAY EXIST. Second by Henderson.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, Filner-yea, Mayor O'Connor-yea.

MOTION BY STRUIKSMA TO APPROVE THE LANGUAGE FOR SECTION 5, NO PERMIT REQUIRED, AS FOLLOWS: DEVELOPMENT PURSUANT TO PARK DEVELOPMENT PLANS INCLUDING, BUT NOT LIMITED TO, PUBLICLY-OWNED FACILITIES, PLAYING FIELDS, AND GOLF COURSES, WHICH HAVE BEEN THE SUBJECT OF PUBLIC HEARINGS BEFORE THE CITY COUNCIL AND FOR WHICH FINDINGS OF FACT HAVE BEEN MADE THAT NO FEASIBLE LESS ENVIRONMENTALLY DAMAGING ALTERNATIVE, LOCATION, OR SITE DESIGN EXISTS OR CAN BE DESIGNED, THAT THE PLAN MINIMIZES THE DISTURBANCE OF THE ENVIRONMENTALLY SENSITIVE LANDS AND INCORPORATES MITIGATION MEASURES THAT ARE FEASIBLE TO OFFSET ANY DISTURBANCE. Second by Filner. No vote yet.

The motion was divided to vote on golf courses. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, Filner-yea, Mayor O'Connor-yea.

Motion by Wolfsheimer to amend to add "to the extent feasible, park facilities shall be designed and developed with the intent of this section." Second by Mayor O'Connor.

Failed by the following vote: Wolfsheimer-yea, Roberts-nay, McColl-nay, Pratt-nay, Struiksma-nay, Henderson-nay, McCarty-nay, Filner-yea, Mayor O'Connor-yea,

The vote was taken on the above motion by Struiksma which passed by the following vote: Wolfsheimer-nay, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

MOTION BY McCARTY TO APPROVE ITEM C REGARDING EXPEDITED PERMITS AND DIRECT STAFF TO REPORT BACK IN ONE WEEK ON TIME REQUIRED TO PROCESS A PERMIT. Second by Struiksma. Passed

by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea,

McCarty-yea, Filner-yea, Mayor O'Connor-yea.

**MOTION BY STRUIKSMA TO APPROVE ITEM D, ADMINISTRATIVE PERMITS.** Second by Roberts. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

Motion by Struiksma to delete Item 2 and insert as follows:

"Development pursuant to a wetlands management program in effect on the effective date of this section or development pursuant to a wetlands management plan that meets the intent of this section and which has been adopted by the City Council and has been approved by the appropriate resource agencies." Add a new Section 3 which states that new development pursuant to a habitat conservation plan in effect on the effective date of this section or development pursuant to habitat conservation plan that meets the intent of this section and which has been adopted by the Council and approved by the appropriate resource agencies. Second by McColl. Motion withdrawn in favor of language by staff for a section 2 and 3.

**MOTION BY STRUIKSMA TO ADD SECTIONS 2 AND 3 WHICH WILL BECOME SECTIONS 1 AND 2, TO STATE AS FOLLOWS: SECTION 2 - DEVELOPMENT PURSUANT TO A WETLAND MANAGEMENT PLAN IN EFFECT ON THE EFFECTIVE DATE OF THIS SECTION OR DEVELOPMENT PURSUANT TO A WETLANDS MANAGEMENT PLAN THAT MEETS THE INTENT OF THIS SECTION AND HAS BEEN ADOPTED BY THE CITY COUNCIL AND APPROVED BY THE APPROPRIATE RESOURCE AGENCY. SECTION 3 - DEVELOPMENT PURSUANT TO A HABITAT CONSERVATION PLAN THAT HAS BEEN DEVELOPED IN CONJUNCTION WITH FEDERAL AND STATE RESOURCE AGENCIES THAT MEETS THE INTENT OF THIS SECTION AND HAS BEEN ADOPTED BY THE CITY COUNCIL AND APPROPRIATE RESOURCE AGENCIES.** Second by McCarty. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

**MOTION BY FILNER TO AMEND TO ADD A NEW SECTION 3 FOR CLEARING OR THINNING TO STATE: "UNTIL BRUSH MANAGEMENT PROGRAM IS ADOPTED, CHANGE "SLOPES" TO "AREAS," AND APPROVE THE MAYOR'S LANGUAGE FOR THE AMENDMENT.** Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, Filner-yea, Mayor O'Connor-yea.

Motion by Wolfsheimer to add to Section 4 the following:

"Public parks except for the neighborhood and community parks in the present urbanizing areas which have not been acquired

by the City or approved for design and construction by the City Council." No second.

MOTION BY McCOLL TO OMIT ITEM 4. Second by Henderson.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmayea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

MOTION BY HENDERSON TO APPROVE ITEM 5. Second by McColl.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmayea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

MOTION BY McCARTY TO APPROVE LANGUAGE FOR ITEM 6 FOR REMOVAL OF SILT IN EXISTING WETLAND AREAS TO STATE AS FOLLOWS: WHERE THE SILT REMOVAL IS INTENDED TO ENHANCE THE HABITAT OF THE WETLAND AND WHERE THE REMOVAL MEETS THE INTENT OF THIS SECTION. Second by Struiksmayea. Passed by the following vote:

Wolfsheimer-nay, Roberts-yea, McColl-yea, Pratt-yea, Struiksmayea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-nay.

MOTION BY HENDERSON TO APPROVE THE SECTION RELATING TO DISCRETIONARY PERMITS. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmayea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

MOTION BY HENDERSON TO APPROVE ITEM 7 A-1 - GRANTING EXCLUSIONS. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmayea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

MOTION BY ROBERTS TO ADD ITEM-7 UNDER NO PERMIT REQUIRED THE FOLLOWING: "ANY LAND WHICH HAS BEEN SHIFTED FROM FUTURE URBANIZING DESIGNATION IN THE GENERAL PLAN TO THE PLANNED URBANIZED DESIGNATION IN THE GENERAL PLAN. Second by Henderson. Motion trailed at the request of Wolfsheimer for staff to prepare language to modify it so that it relates to Sorrento Valley Exchange.

Motion by Henderson to delete Section 2. Second by Struiksmayea. Failed by the following vote: Wolfsheimer-nay, Roberts-nay, McColl-nay, Pratt-nay, Struiksmayea, Henderson-yea, McCarty-nay, Filner-nay, Mayor O'Connor-nay.

MOTION BY McCOLL TO APPROVE 7 A 2. Second by Roberts.

Passed by the following vote: Wolfsheimer-nay, Roberts-yea, McColl-yea, Pratt-yea, Struiksmayea, Henderson-nay, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

MOTION BY McCARTY TO APPROVE STAFF LANGUAGE FOR B AS FOLLOWS: EXCLUSIONS FOR CLAIMS OF UNCONSTITUTIONAL TAKING, WHERE AN

APPLICANT PROVIDES SUBSTANTIAL LANGUAGE, THAT THE PROVISIONS OF THIS SECTION AS IT APPLIES TO APPLICANT'S PROPERTY WHICH CONSTITUTE A TAKING OF PRIVATE PROPERTY IN VIOLATION OF THE UNITED STATES OR CALIFORNIA CONSTITUTIONS, THE CITY COUNCIL MAY GRANT AN EXCLUSION TO PROVIDE FOR MINIMAL DEVELOPMENT NECESSARY TO CONSTITUTE REASONABLE USE UNDER CALIFORNIA STATE AND FEDERAL LAW. ALL REASONABLE MITIGATION MEASURES SHALL BE GRANTED IN THE DESIGN OF THE DEVELOPMENT TO PRESERVE AND PROTECT THE SENSITIVE CHARACTERISTICS OF THE LAND. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea. Motion by Wolfsheimer to delete Section C - 1 through 6. No second.

Motion by Henderson to approve Item C with an addition to insert to 3 the following: "Or that an important City interest could not be accomplished without an exclusion," and "and" in paragraph 3. Second by McCarty. Motion withdrawn.

SUBSTITUTE MOTION BY FILNER TO APPROVE THE ORIGINAL STAFF LANGUAGE WITH THE ADDITION OF "AND'S" AS DISCUSSED. Second by Mayor O'Connor. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-nay, Henderson-yea, McCarty-nay, Filner-yea, Mayor O'Connor-yea.

MOTION BY MCCOLL TO APPROVE ITEM 8 - JUDICIAL REVIEW. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

Motion by McColl to approve Item 9a to add D regarding a tolling provision written by staff as follows: "The expiration date of any application for any permit, map, of agreement shall be extended by the amount of time extended in good faith establishing a vested or legal right or obtaining an exclusion needed because of the enactment of this section. No second.

Motion by McCarty to approve the Citizens Advisory Committee language as follows: "The expiration date of any application for any permit, map, or agreement shall be extended for the amount of time extended in good faith establishing vested or legal rights hereunder or obtaining an exclusion needed because of the enactment of this section." Second by Henderson. Failed by the following vote: Wolfsheimer-nay, Roberts-nay, McColl-yea, Pratt-nay, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-nay, Mayor O'Connor-nay. Motion by McColl to approve Section 9 - Implementation.



Second by Roberts. No vote.

MOTION BY McCARTY TO AMEND SECTION 9 TO APPROVE THE LANGUAGE SUBMITTED BY FILNER TO STATE THAT THE CITY COUNCIL MAY AMEND THIS SECTION ONLY AFTER A NOTICED PUBLIC HEARING AND THREE-FOURTHS VOTE, AND THAT THE AMENDMENTS MUST BE CONSISTENT WITH THE PURPOSE AND INTENT OF THIS SECTION AND SHALL NOT RESULT IN LESS PROTECTION OF THE ENVIRONMENTALLY SENSITIVE LANDS. Second by Roberts. Passed by the following vote: Wolfsheimer-nay, Roberts-nay, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-nay.

Motion by Henderson to approve No. 8 of Staff's definitions for steep slopes. No second.

Motion by Henderson to approve No. 9 of Staff's definitions for steep slopes. No second.

MOTION BY FILNER TO APPROVE NO. 10 OF STAFF'S DEFINITIONS FOR STEEP SLOPES WITH THE FOLLOWING AMENDMENTS: ALL LANDS HAVING A NATURALLY-FORMED GRADIENT OF 25 PERCENT OR GREATER MEASURED BY TWENTY-FIVE FEET OF VERTICAL DISTANCE FOR EACH 100 FEET OF HORIZONTAL DISTANCE, BASED ON FIVE FOOT CONTOUR INTERVALS, WITH AN ELEVATION DIFFERENTIAL OF TWENTY-FIVE FEET.

UNDEVELOPED LAND LOCATED ADJACENT TO THE 25 PERCENT SLOPE MAY ALSO BE INCLUDED IN THE STEEP SLOPE LAND IN ORDER TO PROMOTE THE PURPOSE AND INTENT OF THIS SECTION, PROVIDED THAT SUCH LAND IS WITHIN 300 FEET OF THE NEAREST POINT OF THE 25 PERCENT SLOPE. THIS DEFINITION DOES NOT INCLUDE MANUFACTURED SLOPES. MANUFACTURED SLOPES MEANS SLOPES GRADED PURSUANT TO A VALIDLY-ISSUED DEVELOPMENT PERMIT AND DOES NOT INCLUDE SLOPES GRADED FOR AGRICULTURE USES. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-nay, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

MOTION BY FILNER TO DELETE SECTION 5 B OF WETLANDS BUFFER.

Second by Wolfsheimer. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-nay, McCarty-nay, Filner-yea, Mayor O'Connor-yea.

MOTION BY FILNER TO APPROVE STAFF LANGUAGE AS PRESENTED FOR PERMITTED USES IN FLOODPLAINS. Second by Wolfsheimer.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-nay, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

MOTION BY MCCOLL TO APPROVE STAFF LANGUAGE FOR SECTION REGARDING URBANIZED FLOODPLAINS AS AMENDED TO AMEND NO. 1 TO STATE "HAVE BEEN SUBDIVIDED INTO PARCELS" AND OMIT EVERYTHING

UP TO NO. 2. Second by Roberts. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-nay, Mayor O'Connor-nay.

MOTION BY McCARTY TO APPROVE DEFINITION FOR LOW INTENSITY RECREATIONAL USES IN FLOODPLAINS. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, Filner-yea, Mayor O'Connor-yea.

MOTION BY STRUIKSMA TO APPROVE LANGUAGE FOR NO PERMIT REQUIRED - PAVED AREAS. Second by McCarty. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-nay.

**PUBLIC COMMENT:**

None.

**ADJOURNMENT:**

The meeting was adjourned by Mayor O'Connor at 8:47 p.m.

**FILE LOCATION: MEET**

**COUNCIL ACTION:** (Tape location: L127).